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UNCLAS SECTION 01 OF 04 LAGOS 000935

SIPDIS

SENSITIVE

FOR INL/LP-ABIGAIL SMITH

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SUBJECT: NIGERIA: 2006 NARCOTICS CERTIFICATION REPORT CARD

REF: A) STATE 94578

1. (U) This responds to Ref A's request for a certification report card identifying the Government of Nigeria's (GON's) efforts towards meeting the 2004 certification benchmarks.

1A. Major Traffickers

2. (SBU) The 2003 benchmark for cooperation against major traffickers include increased effectiveness of the Nigerian National Drug Law Enforcement Agency (NDLEA) and U.S. Drug Enforcement Administration (DEA) supported Joint Task Force, and importantly, the investigation and arrest of at least a major Nigerian-based drug trafficker. In addition, the Government of Nigeria (GON) should adequately fund the NDLEA at a level to support salaries and core operations.

In the past year, NDLEA continued to implement strategies aimed at motivating its staff. Meritorious staff promotions at NDLEA were maintained and this has been instrumental in the successes of drug interdiction in Nigeria. These promotions are accompanied by reasonable salary packages. The Government of Nigeria has streamlined its funding of the salaries of NDLEA staff and the core operations of NDLEA.

NDLEA has also institutionalized a regime of professional responsibility in its force. This has instilled discipline, transparency and loyalty in the force. In capacity building, NDLEA has continued to provide mandatory monthly training on key issues conducted by knowledgeable personnel from within and outside the Agency. All command officers have been provided with mandatory computer training. Informants' acquisition, training and utilization initiatives have been put in place. This has created a sizeable network of reliable informants that are proactive in counter-narcotics tactics and strategies.

3. (SBU) The USG asked the GON to continue to make progress towards establishing a reliable system that will allow extradition request to be heard expeditiously and fairly, respecting due process and individual rights while avoiding delaying tactics. The benchmark for article 6 is for the GON to continue to strengthen its extradition practice and procedures, and make progress in resolving pending cases.

In the past year, NDLEA arrested 4,963 drug traffickers and 98% of them have been successfully prosecuted. Of those prosecuted, 45 were considered major drug traffickers. As indicated, prosecution of drug traffickers has taken a new turn. The arrest, prosecution and sentencing of the 98% of those arrested has sent a signal to the drug traffickers the worst lies ahead for them. Courts have taken a keen interest in drug related cases. This manifested in the number of cases prosecuted and conviction handed down in the past year.

1C. Interdiction

4. (SBU) the benchmark for cooperation in the area of drug interdiction is for the GON to successfully seize at least one significant illicit drug shipment of heroin or cocaine. (Significance to be determined by DEA and RNLEO) In particular, the NDLEA must continue its efforts at the airport in Lagos to ensure that any direct flights to the U.S. from Lagos do not become a major conduit for drug trafficking. NDLEA must increase its use of INL-donated drug detectors, itemiser, at its international airports and establish a plan to exercise greater control over mail and commercial delivery services.

NDLEA has continued to do an excellent job in drug interdiction. In the past year, it seized 702.67 kilograms of Cocaine, 58 kilograms of Heroin, 51710.892 kilograms of Cannabis and 91.36 kilograms of Psychotropic substances. Much of this success has been attributed to the equipment donated to the Agency by United States Drug Enforcement Agency and the Bureau of International Narcotics and Law enforcement. Of particular importance are a digital X-ray machine and two itemizers installed at the Murtala Mohammed International Airport in Lagos and one itemizer in installed at Nnamdi Azikiwe International Airport, Abuja, and one

itemiser in Kano. An old X-ray machine from Murtala Mohammed International Airport, Lagos, was overhauled and installed at Nnamdi Azikiwe International Airport in Abuja and is regularly serviced for efficiency. Staff training in the operation of the equipment has improved and the results are very encouraging. In the same period, 1401 persons were arrested in connection with drug trafficking and 98 percent of them have been successfully prosecuted. The Lagos Airport is no longer a major conduit for drugs due to the equipment installed at the Airport.

NDLEA has continued to share relevant intelligence regarding arrests, seizures and prosecutions, with her international collaborators. This has yielded appreciable narcotic interdiction success. Notable in its endeavor to clean up the region from drug trafficking are the two multi-lateral joint anti-narcotic operations held under the West African Joint operations project. Under this project, 600 kgs and 400 kgs of cocaine were interdicted in Ghana, and Togo respectively.

The 37 state Commands created cover the whole country and these Commands have been fully staffed with well-trained personnel. This has eased the operations of the agency. NDLEA assessed operations of Port Harcourt Airport with a view to strengthening and tightening its security operations at the Airport. It was found that after security was tightened at the Murtala Mohamed International Airport, Lagos and the Nnamdi Azikiwe International Airport, Abuja, Port Harcourt Airport became a transit hub for drug traffickers. This was worsened by the introduction of weekly flights by British Airways and Air France. Also, this Airport neither has an itemizer nor an X-ray machine for the detection of drugs. Plans are under way to purchase an x-ray machine for the Airport.

Three sniffer dogs acquired from South African Police Service have also played a great role in drug interdiction. These dogs have complemented the equipment at the Murtala Mohamed International Airport, Lagos. The dogs have been used at the seaports in Lagos where they are deployed. Once in a while they are used at the Airport in Lagos.

1D. Money Laundering and Asset Forfeiture

15. (SBU) The benchmarks for this area includes GON effective cooperation with the FATF AMERG to ensure that any remaining cited deficiencies are corrected and the newly enacted reforms are meaningfully enforced and implemented.

The GON has increased its support for the EFCC. In the past year, the funding of EFCC was increased from N752,000,000 to N1,299,000,000. The Senate has also promised to fully fund EFCC this financial year due to the good job the agency has done so far. EFCC is doing a tremendous job in fighting corruption and financial fraud. The arrest and arraignment of the former Inspector General of Police, the senate president, the Minister for Education, and many high ranking Civil Servants for financial crimes has sent a signal to the high-ranking Government officials that nobody is above the law. Investigations into illegal bank operations have also sent a message to fraudsters that they are not safe with their loot. The GON must continue its cooperation with the U.S. law enforcement agencies to disrupt syndicates perpetrating financial fraud, particularly those groups involved in advance-fee (419) fraud targeting U.S. citizens.

In money laundering, NDLEA together with EFCC have continued to implement several measures to tackle the problem. These measures include, sustained bank inspection regime, which compels banks and other financial institutions to be more stringent in the enforcement of counter-money laundering measures, and co-sponsoring workshops on money laundering. These workshops have created awareness and have also introduced best practices among different institutions. The agency's financial investigative capacity has been strengthened in the past year. This has led to increased and improved bank inspections that have led to prosecution of erring banks. There have also been recorded tremendous successes in awareness programs aimed at sensitizing commercial banks and other financial institutions on international Money regulations and the reporting standards as required by the Financial Action Task Force (FATF). This has been reinforced with disciplinary measures instituted for disciplining errant officers. This has so far resulted in the disengagement of about ten officers from the force, hence tremendously improving professional responsibility among the NDLEA force.

Nigeria passed the 2004 Money Laundering Act is which more closely adheres to FATF standards with regards to threshold levels. Last year, an amendment of the EFCC Act was tabled before the National Assembly was passed and assented to by the President. EFCC has been actively enforcing the Act more especially the asset forfeiture provisions. At the same

time, the establishment of the Financial Intelligence Unit has resulted into seizures of N218,095,497,095; \$14,277,506; CFA3,428,000; Pounds 3,795,441; and Euro 700 in cash and has recovered property worth more than \$230,000,000. EFCC investigated 2,103 cases out of the 2,324 cases reported last year. Out of these cases reported and investigated, there have been 1,115 arrests and 125 prosecutions. Only 2 convictions have so far been registered but a message has been sent and it is felt in the public. The government is committed to the cause and has instructed judges to give preference to financial crime cases when they appear in their courts.

E. Corruption

16. (SBU) As a measure of cooperation in the area of corruption, the GON must investigate all credible petitions alleging corruption by federal, state and local government officials. The NDLEA and NPF must also properly staff and fund special offices of professional responsibility to investigate misconduct.

--The Independent Corrupt Practices and Other Related Offenses Commission (ICPC) pursued several high level cases in the past months. Among the cases, are those involving the Minister for Education, the Senate president and several members of the National Assembly. Four hundred twenty three dollars was recovered and the parties involved are on trial. ICPC has established a training institute for its staff and the U.S. Department of Justices Overseas Prosecutorial Development Assistance and Training Program (OPDAT) has seconded a legal Advisor to the Commission for six months. ICPC has staff strength of 268 personnel. Of these, 44 are in the investigation department, 21 in the prosecution department, and 16 on special duty. The rest are in She is currently housed at the ICPC offices. ICPC has maintains new field offices to better facilitate investigations in other parts of the country. A total of 321 cases have been reported since January 2004 Out of these, 90 have been investigated and are being prosecuted. There are 204 cases under investigation. The number of persons involved is 380 and the amount of money involved is N5.8billion. The GON continues to enlist partner organizations to assist in sponsoring and hosting of conferences and workshops against corruption in Nigeria; aggressive implementation of laws against advance fee fraud and failed banks; probing of past governments which has resulted in the recovery of large sums in foreign currency; probe of the legislature; the implementation of anti-corruption law, and the strengthening and further empowerment of the ICPC.

EFCC continues to work closely with US law enforcement agencies and has been instrumental in the interdiction of stolen credit cards and goods purchased with stolen or fraudulent checks and delivered through international courier services. The Nigerian Police Force has embraced the "Community Policing" concept. The pilot project that started with the training of mid and senior level officers in Community policing in Kaduna later produced recruits in Kaduna. The recruits were deployed in one division and presented with bicycles to enable them patrol the division, interact with the public and to report crime. The project has been extended to three other states and the response from the survey done is very encouraging.

Basic training for new constables using international standards is now on truck. The Nigerian Police Force has halted the recruitment of new constables and is concentrating on vetting and retraining the vetted policemen.

F. Demand Reduction

17. (SBU) The USG asked the GON to provide adequate funds and personnel to implement the demand reduction component of Nigeria's drug control policy plan.

To show its commitment to the cause of NDLEA, the government of Nigeria increased her funding of the Agency. The salaries and wages of the staff were improved and the funding of special projects was also increased by over 50%. The government has also released over \$2m for capacity and structural development of the NDLEA Regional Academy in Jos. NDLEA continued with its anti-drug public awareness based on the belief that articulate demand-reduction programs should precede victory in the supply-reduction battle. To this end, the following programs have continued to be implemented by NDLEA in Nigeria:

- a) Anti-drug public enlightenment,
- b) Entrenchment of drug abuse committees all over the country starting at the local government levels,
- c) Enforcement of drug abuse education in the curricular of Nigerian Primary and Secondary schools, and
- d) Increasing drug-free clubs in tertiary institutions.

Rehabilitation of drug dependent persons has continued to be a core concern for NDLEA. In collaboration with UNODCCP,

NDLEA embarked on a program of standardizing the Common Operational Procedures (COP) for improvement of treatment and rehabilitation services for drug abusers in Nigeria. Each State and Special Command has been responsible for developing a State/area specific awareness campaign.

G. Controlled Delivery

8. The USG asked the GON to cooperate with controlled deliveries, as called for in Article II of the 1988 UN Convention on Narcotics and Psychotropic Substances.

In addition to operational activities within Nigeria, NDLEA has participated in several successful counter-narcotics and counter-money laundering activities in Ghana, Togo, Benin and other west African countries. NDLEA operatives have assisted the FBI to intercept several shipments from drug traffickers.

CAMPBELL